

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Case No. 22-cr-211 (WMW/DTS)

Plaintiff,

v.

**SCHEDULING ORDER AND
NOTICE OF ARRAIGNMENT**

Tyrone Mashaun White (1),

Defendant.

PLEASE TAKE NOTICE that an arraignment hearing will be held before the undersigned United States Magistrate Judge on **October 18, 2022 at 1:00 p.m.**, in Courtroom 9E, U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota.

IT IS HEREBY ORDERED:

1. The Government must make all disclosures required by Federal Rule of Criminal Procedure 16(a) by **September 7, 2022**. D. Minn. LR 12.1(a)(1). In order to avoid the need for a recess of the motions hearing, the Government is requested to make by **September 7, 2022**, all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h).

2. As required by rule 5(f) of the Rules of Criminal Procedure, the United States is ordered to disclose all exculpatory evidence to the defendant as required by Brady v. Maryland and its progeny. Failure to do so in a timely manner may result in sanctions, including exclusion of evidence, adverse jury instructions, dismissal of charges, contempt proceedings, disciplinary action, or sanctions by the Court.

3. Defendant must make all disclosures required by Federal Rule of Criminal Procedure 16(b) by **September 14, 2022**. D. Minn. LR 12.1(a)(2).

4. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **September 21, 2022**.¹ D. Minn. LR 12.1(c)(1).

5. Counsel must electronically file a letter on or before **September 21, 2022**, if no motions will be filed and there is no need for a motions hearing.

6. All responses to motions must be filed by **October 5, 2022**. D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses² must be filed by **October 5, 2022**. D. Minn. LR 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses³ must be filed by **October 11, 2022**. D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The Government makes timely disclosures and defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

¹ “Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute.” D. Minn. LR 12.1(b).

² “When a party intends to call witnesses at a hearing on a motion under Fed. R. Crim. P. 12(b), the party must file a notice within 35 days after the arraignment. The notice must identify the number of witnesses whom the party intends to call, the motion or motions that each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(A).

³ “If after reviewing a notice under LR 12(c)(3), a party intends to call witnesses at the same hearing, that party must file a responsive notice within 38 days after the arraignment. The responsive party must identify the number of witnesses whom the party intends to call, the motion or motions each witness will be addressing, and the estimated duration of each witness’s testimony.” D. Minn. LR 12.1(c)(3)(B).

10. If required, the motions hearing will be heard before Magistrate Judge David T. Schultz on **October 18, 2022 at 1:00 pm** in **Courtroom 9E**, U.S. Courthouse, 300 South Fourth Street, Minneapolis, Minnesota. D. Minn. LR 12.1(d).

11. **TRIAL:**

a. **If no pretrial motions are filed by defendant**, the following trial and trial-related dates are:

All motions in limine and proposed voir dire and jury instructions are due in District Judge Wilhelmina Wright's chambers at least 21 days before the trial date. Counsel are advised that a pretrial notice will issue that will include additional deadlines.

This case shall commence trial on **November 7, 2022 at 9:00 a.m.** before District Judge Wilhelmina M. Wright in Courtroom 7A, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, Saint Paul, Minnesota.

b. **If pretrial motions are filed**, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Wilhelmina M. Wright to confirm the new trial date.

Dated: August 31, 2022

s/David T. Schultz
David T. Schultz
United States Magistrate Judge